

***JUDITH KLASWICK FITZGERALD***

email: [jkfitzgerald@indianatech.edu](mailto:jkfitzgerald@indianatech.edu)

**PROFESSIONAL EXPERIENCE**

December 1, 2013 – Present

Of Counsel

Tucker Arensberg, P.C.

1 PPG Place, Suite 1500

Pittsburgh, PA 15222

(412) 566-1212

[jfitzgerald@tuckerlaw.com](mailto:jfitzgerald@tuckerlaw.com)

Appointed by the Orphan's Court of the Court of Common Pleas of Allegheny County, PA as the Receiver Pendente Lite and later as Liquidating Receiver for the August Wilson Center for African American Culture, Pittsburgh, PA

Retained as expert witness in re-insurance litigation pending in New York; consulting expert regarding possible bankruptcy malpractice action in Arizona; court-appointed fee dispute expert in Delaware; mediator in Pennsylvania

Other Professional Qualifications:

Panel Mediator, U.S. Bankruptcy Court, District of Delaware

Alternative Dispute Resolution, Neutral Evaluation, Mediation Panel Member, U. S. District Court, Western District of PA

Panel Mediator, U.S. Bankruptcy Court, Western District of PA

July 8, 2013 - Present

Professor of Law, Indiana Tech Law School

1600 East Washington Blvd.

Fort Wayne, IN 46803

(260) 422-5561 x3446

Teaching Contracts, Commercial Transactions and Bankruptcy

October 30, 1987 - May 31, 2013

Judge, United States Bankruptcy Court

Western District of Pennsylvania

5490 U.S. Steel Tower, 600 Grant Street

Pittsburgh, PA 15219

October 1, 1991 - June 30, 1996 and January 1, 1998 - May 31, 2013

Judge, sitting by special designation in the United States Bankruptcy Court  
District of Delaware  
Marine Midland Plaza  
824 Market Street  
Wilmington, DE 19801

May 13, 1993 - June 30, 2001

Judge, sitting by special designation in the United States Bankruptcy Court  
Eastern District of Pennsylvania  
900 Market Street, Suite 400  
Philadelphia, PA 19107

July 1, 2004 - December 31, 2008 (and completing assigned cases until retirement on May 31, 2013)

Judge, sitting by special designation in the District Court of the Virgin Islands  
Bankruptcy Division, District of St. Thomas and St. John  
5500 Veterans Drive, Room 310  
St. Thomas, Virgin Islands 00802

2004 - Present

Adjunct Professor of Law  
Bankruptcy since 2004 and Advanced Bankruptcy since 2008  
University of Pittsburgh School of Law  
3900 Forbes Avenue  
Pittsburgh, PA 15260

Fall Term, 1997

Adjunct Professor of Law, Secured Transactions  
University of Pittsburgh School of Law  
3900 Forbes Avenue  
Pittsburgh, PA 15260

January 1976 - October 1987

Assistant United States Attorney  
633 U.S. Post Office & Courthouse  
Seventh & Grant Street  
Pittsburgh, PA 15219

Supervisor of the Erie branch office

- Responsible for all civil and criminal litigation in the seven counties of northwestern Pennsylvania
- Grand jury investigations and prosecution of complex criminal matters, including tax fraud, RICO, narcotics, and major white collar crimes
- Prosecution and defense of civil matters, including torts, medical malpractice, admiralty, immigration and environmental claims, bankruptcies, injunctions, Social Security appeals
- Appellate brief writing and oral argument of cases before the U.S. Court of Appeals for the Third Circuit
- Lecturer for and participant in various seminars conducted by the U.S. Department of Justice and various universities

March 1974 - December 1975

Law Clerk to Judge Gwilym A. Price, Jr.  
Superior Court of Pennsylvania, Pittsburgh, PA 15219

- Performed legal research and writing on a wide variety of subjects.

July 1973 - February 1974

Law Clerk to President Judge John N. Sawyer  
Beaver County Court of Common Pleas, Beaver, PA 15009

October 1972 - June 1973

Legal Researcher Commercial Matters

Vincent A. Tamburo, Esquire  
Associates Finance Services Co.  
Pittsburgh, PA 15213

- Performed legal research in contracts, commercial transactions and secured transactions; drafted financial forms.

September 1972 - June 1973

Legal Intern

Neighborhood Legal Services  
Pittsburgh, PA 15219

- Various duties including incorporation of small businesses and non-profit organizations, initial tax applications

### **COURT ADMISSIONS**

- Pennsylvania Supreme Court, October 4, 1973
- United States District Court, Western District of Pennsylvania, October 4, 1973
- United States Court of Appeals for the Third Circuit, February 11, 1976
- United States Tax Court, December 14, 1983
- United States Supreme Court, July 1, 1985

### **OTHER EXPERIENCE**

Dr. Ray Hackman  
Psychological Service of Pittsburgh  
Pittsburgh, PA

- Analysis and statistical validation of various projects involving psychological testing in industry and preparation of reports of findings

### **EDUCATION**

University of Pittsburgh School of Law  
1973 - Juris Doctor

University of Pittsburgh  
1970, 1971 - Political Science Graduate Courses on Fellowship

University of Pittsburgh  
1970 - B.S. Psychology, B.A. English Writing

### **GRADUATE AWARDS AND ACTIVITIES**

- University Scholarship - three years
- Pitman Fellowship - three years
- Law School Curriculum Committee Chairman
- Moot Court Board
- Senior Advisor
- Legal Clinic

### **UNDERGRADUATE AWARDS AND ACTIVITIES**

- University Scholarship - two years
- Mortar Board Honorary Society - Secretary
- College of Arts and Sciences Honor Board Justice
- Gamma Sigma Sigma Service Sorority - Co-founder of Pitt Chapter
- Heinz Chapel Choir

- Student Government Allocations Committee - two years
- Parents' Weekend Chairperson and Event Coordinator - one year
- Various other honorary and extracurricular activities

### **RECOGNITIONS AND AWARDS**

- The Judith K. Fitzgerald Bankruptcy American Inn of Court named in my honor, 2013
- Lawrence P. King Award for Excellence in the Field of Bankruptcy, 2011
- NCBJ Eagle Award, 2011
- Association of Insolvency & Restructuring Advisors, 2007
- Conrad B. Duberstein "Mensch" Award, Presented by NCBJ, 2006
- Turnarounds & Workouts - Top Ten Bankruptcy Judges (3 years)
- Who's Who of American Women, 1991 - present
- Oxford's Who's Who, 1992 - present
- United States Department of Justice Special Achievement Awards
- Federal Criminal Investigators Special Service Award, 1988
- United States Department of Commerce Operation Exodus Outstanding Performance Award, 1986
- Pittsburgh Magazine Special Recognition Award, 1980

### **PROFESSIONAL ACTIVITIES (GOVERNMENT RELATED)**

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|----------------|---|
| 1992 - 1998    | <u>Advisory Committee of Bankruptcy Judges</u> , Administrative Office of the United States Courts (Served as Chair, 1994 - 1996)   |
| 1993 - 1997    | <u>Chambers and Courtroom Umbrella Group</u> , Administrative Office of the United States Courts (Dealt with automation and technology matters in the federal courts)   |
| 1994 - 1998    | <u>Chambers Case Management User Group</u> , Chair, 1995 - present<br>(Monitored automation and technology projects under the auspices of the Chambers and Courtroom Umbrella Group)  |
| 1994 - present | <u>Executive Sponsor, BK CHASER Automation Project</u><br><u>Bankruptcy CHASER Ad Hoc Working Group</u><br>(A project that enhances the utility of information in the court's databases for purposes of judicial case management)             |
| 1994 - 1998    | <u>Education Committee</u><br>United States Court of Appeals for the Third Circuit  |
| 1995 - 1996    | <u>Bankruptcy Case Management &amp; Statistics Umbrella Group</u><br>Administrative Office of the United States Courts<br>(Dealt with automation and technology matters in the bankruptcy courts, particularly regarding the clerk's offices) |
| 1997           | <u>Bankruptcy Statistics and Data Collection Project</u><br>Administrative Office of the United States Courts<br>(Evaluated bankruptcy data needs of various constituencies as part of a technology   |

modernization project)

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|----------------|---|
| 1998 - 2002    | Program Planner, Bankruptcy and Commercial Law Presentations, Third Circuit Judicial Conferences                                |
| 2001 - 2005    | Nonvoting Bankruptcy Judge Representative, Third Circuit Judicial Council   |
| 2002 - 2005    | Member, Judicial Council Bankruptcy and Magistrate Judges Committee of the United States Court of Appeals for the Third Circuit |
| 2006 - Present | Founding Member, Third Circuit Bankruptcy Education Committee   |
| Various        | Program Planner, PA Bar Institute   |

**PROFESSIONAL ACTIVITIES (NON-GOVERNMENT RELATED)**

|                |   |
|----------------|---|
| 1973 - present | <u>Allegheny County Bar Association</u> <ul style="list-style-type: none"> <li>- Member of Audit and Technology Utilization Committees</li> <li>- Member, Federal Court, Bankruptcy and Commercial Litigation, and Women and the Law Sections</li> <li>- Formerly Chair, Audit Committee</li> <li>- Member, Finance Committee, Continuing Legal Education,</li> <li>- Speakers' Bureau and Public Relations Committees; Trustee, Criminal Trial Lawyers of Allegheny County; Editor of Newsletter of Criminal Trial Lawyers Association Nominating Committee</li> </ul> |
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| 1987 - present | <u>National Conference of Bankruptcy Judges</u> <ul style="list-style-type: none"> <li>- 2010 - 2012, Associate Editor, American Bankruptcy Law Journal</li> <li>- 2002 - 2003, Immediate Past President</li> <li>- 2001 - 2002, President</li> <li>- 2000 - 2001, Vice President/President Elect; Chair of Elections and Site Selection</li> <li>- 1995 - 1998, Treasurer</li> <li>- 1999 - 2000, Chair, Endowment for Education</li> </ul> |
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NCBJ Committees

- Founder and Chair, NCBJ Next Generation Program
- Various - Third Circuit Representative on the Board of Governors
- Member, Finance Committee; Subcommittee on Federal Courts Study Commission
- Elections Committee
- Site Selection Committee
- Issue Editor and contributor to The Conference News
- Member, Education Program Committee
- Chair, Budget Policy Committee
- Member, Future of the Conference Committee
- Member, Legislative Committee
- Various liaison positions with other professional organizations

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|----------------------------|--|
| 1988 - present             | <u>American Bankruptcy Institute</u><br>- 2002 - 2007 - Director<br>- Various - Co-chair, Committee on Mass Torts; Member, Nominations Committee<br>- Originator of Law Student Writing Competition for Bankruptcy Litigation Committee (now a competition of the ABI itself)<br>- Originator of Mid-Atlantic Regional Program and First Judicial Chair<br>- Judicial Liaison<br>- Planner, Caribbean Conference<br>- Member, Education and Membership Committees<br>- Member, Bankruptcy Litigation Committee and Chair of Project Subcommittee Liaison with Commercial Law League of America |
| 1988 - 1993<br>1990 - 1994 | <u>Federal Investigators Association</u>   |
| 2007                       | <u>American Bar Association</u><br>Member, National Conference of Federal Trial Judges, Public Education Committee, Business Litigation Section  |
| 1991 - present             | <u>Commercial Law League of America</u><br>- 2002 - present - Member of Bankruptcy Section Executive Council<br>- 2004 - 2006 - Member of National Ethics Committee  |
| 1992 - present             | <u>National Conference of Bankruptcy Clerks</u>  |
| 1992 - present             | <u>Women's Bar Association of Western PA</u><br>Founding Member  |
| 1992 - present             | <u>American Inns of Court, Honorable Amy Reynolds Hay Chapter</u><br>Founding Member and Master (Since 1995, Honorary Master)  |
| 1995 - present             | <u>International Women's Insolvency and Restructuring Confederation (IWIRC)</u><br>Charter Member, Pittsburgh Chapter  |
| 2000 - present             | <u>Federal Bar Association</u><br>Awarded Lifetime Honorary Membership, 2001   |
| 2001 - 2006                | <u>Association of Trial Lawyers of America</u><br>Judicial Fellow - Position discontinued by the Association   |
| 2001 - 2010                | <u>Turnaround Management Association, Pittsburgh Chapter</u>   |
| 2002 - 2006                | <u>International Bar Association</u>   |
| 2004 - present             | <u>American College of Bankruptcy</u><br>- Chair, ACB Liaisons Committee   |

- Program Developer for Law School Liaison Subcommittee
- Program Developer for Third Circuit Education Program (October 12, 2012)
- Member, Judicial Outreach Committee
- Member, Third Circuit Education Committee

2008 - present American Law Institute  
Elected Member

2010 - present The Judith K. Fitzgerald Western Pennsylvania Bankruptcy American Inn of Court  

- Founding Member and Counselor
- Chair, Program and Membership Committees

### MISCELLANEOUS

- Participant in various symposia on insolvency matters, including The DePaul Institute Symposium; the View from the Bench in Washington, D.C.; colloquium on international issues regarding chapter 11 reorganization in Washington, D.C. at the French Embassy; judicial roundtable on international insolvency issues in Dublin, Ireland and cross-border mass tort judicial perspectives in London, United Kingdom
- Judge, Moot Court Trial and Appellate Competitions for University of Pittsburgh School of Law
- Judge, Tax Moot Court Competition at Duquesne University School of Law
- Former Lecturer on behalf of the Professor, Trial Tactics Duquesne University Law School
- Guest Lecturer in Bankruptcy, University of Miami School of Law
- Instructor and Lecturer for various professional groups including The Federal Judicial Center; U.S. Attorney General's Advocacy Institute; University of Pittsburgh School of Law Intensive Trial Advocacy Course; Third Circuit Court of Appeals Judicial Conference; National Conference of Bankruptcy Judges; The American Inns of Court; The Commercial Law League of America; IWIRC; Law Education Institute; American Bankruptcy Institute; The Pennsylvania Bar Association; Allegheny County Bar Association; Pennsylvania Bar Institute; Professional Education Systems, Inc.; Pennsylvania Institute of Certified Public Accountants; The Association of Insolvency & Restructuring Advisors; The Bar Association of the U.S. Virgin Islands; The Internal Revenue Service; The Bankruptcy Bar Association of the Southern District of Florida; The State Bar Association of Nevada (Family Law Practitioners); The Kentucky Bar Association; National Association of Chapter 13 Trustees; Georgetown University Law Center; The Advanced E-Discovery Institute and Views from the Bench; LexisNexis Mealey Conference Groups; DePaul University Business and Commercial Law Symposium; Southern Illinois University School of Law; The Association of Insolvency & Restructuring Advisors; Turnaround Management Association; Commercial Finance Association; Perrin Conferences; Emory Bankruptcy Developments Journal Symposium; The National Association of Attorneys General; The Indiana Tech Law School Lunch and Learn; The Judith K. Fitzgerald Bankruptcy American Inn of Court; American College of Bankruptcy; Equipment Leasing and Finance Agency



**SELECTED CIVIC ACTIVITIES** (Past and Present)

- Mendelssohn Choir of Pittsburgh, Choir Member, Treasurer and Board Member
- Bethlehem Lutheran Church, President of Council, 1993, Choir Member and Member of Prior Pastor's Doctoral Committee
- Commissioner of PACE (Program to Aid Citizen Enterprise)
- Zonta Professional Women's Club, Member of the Board, 1990 - 1992
- McIntyre Area Civic Association
- Western Pennsylvania Conservancy
- Allegheny County Political-Legal Education Project
- Paddington Foundation, Scholarship Selection Committee
- Pittsburgh Camerata (a capella choir)

**SELECTED PUBLICATIONS**

- The National Edition, Rutter Group, Practice Guide, Bankruptcy (2010 - present) (co-editor)
- Planning for the Time of Trouble: *Cabrera v. Collazo*, A Case in Point (to be published by the Commercial Law League of America, Spring 2014)
- Bankruptcy and Divorce: Support and Property Division, Second Edition, Aspen Law & Business (1994) (co-author) (with annual supplements through 2003)
- "When Worlds Collide: Bankruptcy and Its Impact on Domestic Relations and Family Law," Second Edition, American Bankruptcy Institute (2003) (co-author)
- "Wrestling With Bankruptcy and Divorce Laws in Property Division and Support Issues," 6 JOURNAL OF THE AMERICAN ACADEMY OF MATRIMONIAL LAWYERS 1 (1990) (co-author)
- "Wrestling With Bankruptcy and Divorce Laws in Property Division and Support Issues," 6 AMERICAN JOURNAL OF FAMILY LAW, No. 2, 109 (1992) (co-author)
- Closing Bankruptcy Cases (a manual for the Federal Judicial Center) (1991) (author)
- "Litigating Property Settlement and Support Issues -- A Perspective From the Bankruptcy Bench" Published as a chapter in BANKRUPTCY ISSUES IN MATRIMONIAL CASES: A PRACTICAL GUIDE, Prentice Hall Law & Business (1992) (co-author)
- "The Appraiser In Bankruptcy Court: Getting Appointed, Getting Paid and Testifying as Experts," Vol. 5 AMEA APPRAISER, No. 2 (Summer 1992) (author)
- "The Judge's Role in Insolvency Proceedings: The View From the Bench; The View From the Bar," Symposium in conjunction with St. John's University School of Law, published at Vol. 10, No.2 Am. Bankr. Inst. L. Rev.511 (Winter 2002)
- "Forum Shopping, First Day Order and Case Management Issues in Bankruptcy," (Symposium at

DePaul University Law School), published at Vol. 1, No. 4 DePaul Business and Commercial Law Journal 515 (Summer 2003)

- "We All Live in a Yellow Submarine: BAPCPA's Impact on Family Law Matters," (Symposium at Southern Illinois School of Law) (author), published at 31 Southern Illinois University Law Journal 563 (Spring 2007)
- "Chapter 11 Reorganization Processes in Mass Tort Cases: Success or Failure?" (Mealey's) (author)
- "Caswell and Leser, Polar Approaches to Support Arrearages in Chapter 13," 10 Norton Bankruptcy Law Adviser, Clark Boardman Callaghan (Oct. 1992) (co-author)
- Chapter 5, "Abstention," Chapter 11 Theory and Practice - A Guide to Reorganization, Queenan, Hendel and Hillinger, eds. (1994)
- "Evaluating Involuntary Bankruptcies," Commercial Law League of America (1996)
- "Snippets," a column in The Conference News, a quarterly publication of and for the National Conference of Bankruptcy Judges (1998 - present) (author)
- A Local Rules Guide for Pennsylvania Western District Bankruptcy Court, Pennsylvania Education Systems, Inc., 1989 (collection of forms) (author)
- Pennsylvania Law of Juvenile Delinquency & Deprivation, Bisel, 1976 (editor and senior researcher, annual supplement preparer)
- U.S. Attorney's Office Forms Manual, 1979-1985 (contributor)
- Ideas and Figures, University of Pittsburgh Literary Magazine, 1968 (contributor)

June, 2014